

Art Unit: 3656

1. The amendment filed on February 5, 2010 has been entered.
2. Claims 1-12 and 14-31 are allowed.
3. The drawings were received on February 5, 2010. These drawings are not accepted by the Examiner because of the reasons, *e.g.*, listed below:

(a) The drawings are not in compliance with 37 CFR 1.83(a). The drawings, such as, FIG. 7, do not show the following claimed feature in amended claim 22 filed on August 10, 2007:

“the operating member including a dial-shaped element that is configured and arranged to rotate about an operating axis to move the operating member between the neutral position and the first actuating position, the operating member being disposed on an opposite side of a plane from the split, *the plane passing through a center axis of the handlebar and being **perpendicular** to the operating axis.*” (Emphasis added);

(b) The drawings are inconsistent with:

- (1) Applicant’s explanation regarding the changes to the drawings. See 37 CFR 1.121(d); and
- (2) Amended claim 22. See 37 CFR 1.121(e).

Applicant asserted that these drawings are identical in the content to the replacement drawings filed on August 2, 2007 and April 17, 2008 (see, *e.g.*, page 10 of the amendment filed on February 5, 2010). However, a comparison of FIG. 7 among these sets of replacement drawings shows that amended FIG. 7 filed on February 5, 2010 does not show the plane P that is perpendicular to the operating axis X as shown on August 2, 2007 and April 17, 2008.

4. An examiner’s amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

Art Unit: 3656

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

5. Authorization for this examiner's amendment was given in a telephone interview with Mr. Patrick Hilsmier on June 15, 2010.

The following changes to the drawings have been approved by the examiner and agreed upon by applicant: in the replacement drawings filed on February 5, 2010, add the plane P perpendicular to the axis X in FIG. 7 as shown in FIG. 7 filed on April 7, 2008. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

6. The following is an examiner's statement of reasons for allowance: the claims are allowed for the reasons set forth in the petition decision on January 8, 2010; Applicant's arguments in the above amendment; and Applicant's agreement to the Examiner's amendment above to satisfy the condition under 37 CFR 1.83(a).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Okada et al. (FIG. 3), Ichida (FIG. 3), and Nagano (FIG. 1).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vinh T. Luong whose telephone number is 571-272-7109. The examiner can normally be reached on Monday-Thursday.

Art Unit: 3656

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on 571-272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vinh T Luong/
Primary Examiner, Art Unit 3656